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18 *MGM Grand Detroit, LLC*

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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN SOUTHERN DISTRICT**

16 CYNTHIA APPLEBAUM, WARREN  
17 BLACK, ANITA MATLOCK, PATRICK  
18 RIDGEWAY, and WILLIAM SLY,  
19 individually and on behalf of all others  
20 similarly situated,

21 Plaintiff,

22 vs.

23 MGM GRAND DETROIT, LLC,

24 Defendants.

Case No.: 2:14-cv-13005-AC-MKM

**DECLARATION OF TARUS  
DANCY-SETTLEMENT  
ADMINISTRATOR IN SUPPORT OF  
MOTION FOR FINAL APPROVAL  
OF CLASS ACTION SETTLEMENT**

25 I, Tarus Dancy, declare as follows:

26 1. I am a competent adult, over the age of eighteen, and am a resident of the  
27 state of California. I have personal knowledge of the matters set forth herein, and if called  
28 as a witness, could competently testify thereto.

2. I am employed by CPT Group, Inc. ("CPT") as the Director of Settlement  
and Treasury Services. CPT is the Court-approved class action settlement administrator for

1 *Applebaum v. MGM Grand Detroit, LLC.*, United States District Court District Eastern  
 2 District of Michigan Southern District Court Case Number 2:14-cv-13005-AC-MKM. CPT  
 3 has extensive experience providing notice of class actions and administering class action  
 4 settlements. In the past 27 years, CPT has provided notification and/or claims  
 5 administration services in hundreds of class action cases. CPT was selected by the parties  
 6 and appointed by the Court in this action to provide notice of the settlement and process  
 7 exclusions in this action. In this capacity, CPT was charged with:

8 (a) printing and mailing to class members who are Lead Plaintiffs,  
 9 Class Deponents, and Class Participants ("Participants") a notice  
 10 packet ("Notice Packet") including (1) the Notice of Pendency of  
 11 Class Action and Proposed Settlement, and (2) the Exclusion  
 Form to the Class members' last-known address;

12 (b) printing and mailing to class members who are not  
 13 "Participants" and are identified as "Non-Participants" a Notice  
 14 Packet including (1) the Notice of Settlement, (2) a Claim Form,  
 Consent to Join and Release, and (3) the Exclusion Form to the  
 Class members' last-known address;

15 (c) locating updated addresses for class members;

16 (d) receiving other communications about the settlement;

17 (e) preparing weekly reports notifying the parties of the number of  
 18 class members that have submitted claims and/or exclusion  
 19 requests, and the percent of the class that are valid claimants/opt  
 outs;

20 (f) performing skip-traces for class members who could not be  
 located;

21 (j) estimating the settlement amounts due to class members based  
 22 upon the proposed net settlement amount and class member shifts  
 worked provided by MGM Grand Detroit, LLC.

23 If this settlement is approved, CPT will, among other things (a) calculate, issue and  
 24 mail settlement checks to valid opted in members of the settlement class, with respective tax  
 25 withholdings and reporting; (b) make any class representative service and release payments  
 26 and attorney fee and cost payments approved by the Court, and (c) prepare tax filings for the  
 27 qualified settlement fund established to hold and distribute the gross settlement amount.  
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1           3.     CPT received the Court-approved text for the Notice of Settlement, Claim  
2 Form, Consent to Join and Release, and Exclusion Form to respective class members, on  
3 May 4, 2016.

4           4.     CPT prepared a draft of all of the above-referenced documents for mailing to  
5 the class members and received approval of the drafts from the parties. The mailing to the  
6 "Non-Participants" class members consisted of the Notice of Pendency of Class Action, and  
7 Claim Form, Consent to Join and Release, and the Request for Exclusion Form. The  
8 mailing to "Participant" class members consisted of the Notice of Settlement and the  
9 Exclusion Form.

10          5.     On May 10, 2016, CPT received the data files from defense counsel  
11 containing the name, last known address, telephone number and social security number,  
12 employment status, and the number of qualifying work shifts for class members. The data  
13 included information for 37 class members in the "Participant" Group and 105 class  
14 members in the "Non-Participant" Group.

15          6.     On May 24, 2016, CPT caused a National Change of Address (NCOA)  
16 search to be performed in an attempt to update the class list of addresses as accurately as  
17 possible. A search of this database provides updated addresses for any individual who has  
18 moved in the previous four years and notified the U.S. Postal Service of his or her change of  
19 address. A total of 9 addresses were updated based on the NCOA search.

20          7.     The Notices Packets were enclosed in envelopes with the names and known  
21 addresses printed on them. On May 24, 2016, the Notice Packets were mailed via U.S. first-  
22 class mail to all 142 class members.

23          8.     As of the date of this Declaration, 0 Notice Packets CPT mailed were  
24 returned as containing an incorrect address.

25          9.     As of the date of this Declaration, a total of 8 Notice Packets were re-mailed  
26 as a result of a re-mail request from class members or receiving a re-mail request from  
27 counsel.

28          10.    As of the date of this Declaration, CPT has received 13 requests for

1 exclusion.

2 11. As of the date of this Declaration, CPT has not received any objections to the  
3 settlement.

4 12. As of the date of this Declaration, there are no outstanding disputes regarding  
5 any settlement claim.

6 13. As of the date of this declaration, CPT has received 83 responses of which 69  
7 are valid Claims from Non-Participants.

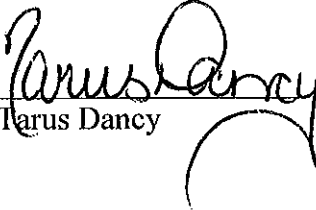
8 14. There are a total of 106 Settlement Class Participants who will receive  
9 settlement payments, of which 69 are "Non-Participants" who submitted a Claim Form and  
10 the remaining 37 are the "Participants" who did not have to submit a Claim Form to receive  
11 their settlement payment. This represents a total participation rate of 74.65%.

12 15. The 69 claims from the "Non-Participants" group represent an estimated  
13 claimed amount of \$60,188.86, which is 49.74% of the Net Settlement Amount. The 37  
14 claims from the "Participant" group represent an estimated claimed amount of \$35,956.40,  
15 which is 29.59% of the Net Settlement Amount. In total, the estimated claimed amount for  
16 the 106 participating class members is \$96,145.26, which is 79.46% of the Net Settlement  
17 Amount. The average estimated settlement amount is \$907.03, with the median being  
18 \$988.63. The highest estimated settlement amount is \$1,232.48.

19 16. Pursuant to the terms of the Settlement, this is a reversionary settlement and  
20 unclaimed funds will be retained by the Defendant. The Gross Settlement Amount is  
21 \$450,000.00 and as of the date of this declaration, \$424,645.26 is the estimated total amount  
22 due for distribution, and the estimated reversionary amount is \$25,354.74.

23 17. CPT will charge an agreed-upon flat fee of \$7,500.00 for administration fees.  
24 This fee includes all costs incurred to date, as well as estimated costs involved in completing  
25 the settlement.

1 I declare under penalty of perjury under the laws of the State of California that the  
2 foregoing is true and correct and that this Declaration was executed on July 11<sup>th</sup>, 2016 at  
3 Irvine, California.

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